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10 Attorneys for Plaintiff

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14
15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 JOSE TELLEZ-JACOBO,

19 Defendant.
20

No. 3-06-70344 MEJ

~~PROPOSED~~ ORDER AND
STIPULATION TO CONTINUE
ARRAIGNMENT / PRELIMINARY
HEARING

21 The parties stipulate and agree, and the Court finds and holds, as follows:

22 1. The parties initially appeared on the instant matter June 5, 2006 for defendant's initial
23 appearance on the complaint. On June 8, 2006, the parties appeared in front of the Honorable
24 Maria-Elena James for a detention hearing and the matter was continued for arraignment. The
25 last day that the defendant could be arraigned without a waiver of time is June 19, 2006,
26 however defense counsel was unavailable on that date, so the parties agreed to arraign the
27 defendant on June 15, 2006.

28 2. Government counsel later discovered that there was no grand jury in session between

FILED

JUN 13 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

June 8 and June 15, 2006, and as a result, the Government cannot indict the defendant until the afternoon of June 15, 2006. The parties therefore stipulate to continue the arraignment to June 16, 2006.

3. No waiver of time is necessary as pursuant to Rule 5.1, the defendant will be arraigned within ten court days of his initial appearance.

4. For the reasons stated, the arraignment of the defendant will be continued to June 16, 2006.

IT IS SO STIPULATED.

DATED: 6/13/06

Respectfully Submitted,


NAHLA RADIAN
Special Assistant United States Attorney

DATED: 6.13.06


RONALD TYLER
Counsel for Jose Tellez-Jacobo

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 6-13-06


HONORABLE MARIA-ELENA JAMES
United States Magistrate Judge